IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE T.R.RAMACHANDRAN NAIR

THURSDAY, THE 1ST FEBRUARY 2007 / 12TH MAGHA 1928

WP(C).No. 777 of 2007(P)

PETITIONER:

CHANDRAN, AGED 44, S/O. SADHASIVAN,
RESIDING AT VETTILAZHIKATHU VEEDU,
SARKARA, CHIRAYINKEEZHU P.O.,
THIRUVANANTHAPURAM.

BY ADV. SRI.JOHNSON GOMEZ

RESPONDENTS:
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1. THE DISTRICT SUPERINTENDENT OF POLICE,
(RURAL), THIRUVANANTHAPURAM.

2. THE SUB INSPECTOR OF POLICE,
POLICE STATION, CHIRAYINKEEZHU,
THIRUVANANTHAPURAM.

3. THE ASSISTANT LABOUR OFFICER,
CHIRAYINKEEZHU, THIRUVANANTHAPURAM.

4. S.CHANDRAN NAIR,
SECRETARY, INTUC, SARKARA,
CHIRAYINKEEZHU P.O., THIRUVANANTHAPURAM.

5. S.VIJAYAKUMAR,
INTUC, INTUC OFFICE, SS PLAZA BUILDING,
ATTINGAL P.O., THIRUVANANTHAPURAM.

R1 TO R3 BY G.P. SHRI P.A. SALIM
R4 BY ADV. SRI.THOMAS JAMES

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 01/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

EXT.P1-TRUE COPY OF THE REGISTRATION CERTIFICATE ISSUED BY THE THIRD RESPONDENT TO THE PETITIONER'S

EXT.P2-TRUE COPY OF THE COMPLAINT DATED 27.11.2005 SUBMITTED BY THE PETITIONER BEFORE R2

EXT.P3-TRUE COPY OF LETTER DATED 17.5.2006 ISSUED BY R3 TO THE PETITIONER.

// TRUE COPY //

J.B. Koshy &
T.R. Ramachandran Nair JJ.
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W.P.(C).NO.777 of 2007-P
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Dated this the 1st day of February, 2007

JUDGMENT

Koshy, J.

This is a petition for police protection. According to the petitioner, the petitioner and his permanent workers can do the loading and unloading work. But this is a scheme covered area and therefore the loading and unloading work has to be done by the registered workers. The registered workers cannot demand wages than what was mentioned in the agreement. The third respondent has also fixed the loading and unloading charges.

In the above circumstances, police protection is granted for doing loading and unloading and running of the factory provided the petitioner engages registered workers for loading and unloading work. But if the registered workers are not performing the work at the permitted charges, the petitioner will be free to engage his own workers.

The writ petition is disposed of in the above terms.

(J. B. Koshy, Judge.)

(T.R. Ramachandran Nair, Judge.)

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